



PATENT  
660057-2001

#6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Michael Conor MINOGUE  
Michael Louis CROWE

U.S. Appln. No. : 09/902,225

U.S. Filing Date : July 10, 2001

Title of Invention : AN ELECTROTHERAPY DEVICE AND  
METHOD

745 Fifth Avenue  
New York, NY 10151

**EXPRESS MAIL**

Mailing Label Number: EL 819168092 US

Date of Deposit: October 26, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents Washington, DC 20231.

Edward Nay  
(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NON PROVISIONAL APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box Missing Parts

Dear Sir:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION, mailed August 28, 2001, enclosed is the Declaration For Patent Application And Powers of Attorney executed by the following inventors: Michael Conor Minogue and Michael Louis

Crowe, a copy of the aforementioned Notice and a check for \$65.00 to cover the required surcharge fee (small entity).

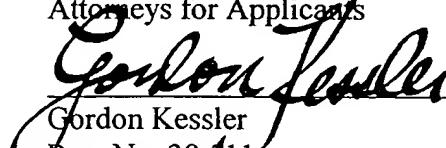
In view of the foregoing, it is believed that the above-identified application is now complete, and the early examination thereof on its merits is solicited.

Please charge any additional fees required for the filing of this application or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By:

  
Gordon Kessler  
Reg. No. 38,541  
(212) 588-0800

Encls. - Declaration and Powers of Attorney  
- Copy of Notice to File Missing Parts



02-25-07  
0410

PATENT  
660057-2001

2360  
#6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Michael Conor MINOGUE  
Michael Louis CROWE

U.S. Appln. No. : 09/902,225

U.S. Filing Date : July 10, 2001

Title of Invention : AN ELECTROTHERAPY DEVICE AND  
METHOD

745 Fifth Avenue  
New York, NY 10151

**EXPRESS MAIL**

Mailing Label Number: EV073699597US

Date of Deposit: February 21, 2002

I hereby certify that this paper or fee is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" Service under 37 CFR 1.10 on the date indicated  
above and is addressed to the Assistant Commissioner for Patents  
Washington, DC 20231.

*Edward Nay*

(Typed or printed name of person mailing paper or fee)

*Edward Nay*

(Signature of person mailing paper or fee)

**RESPONSE TO**  
**NOTICE OF INCOMPLETE REPLY**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box Missing Parts

Dear Sir:

In response to the Notice of Incomplete Reply mailed February 1, 2002,  
Applicants respond as follows. The Notice of Incomplete Reply indicates that the Oath or  
Declaration submitted with the application is unsigned. Applicants submit that a signed

Declaration was submitted to the U.S. Patent and Trademark Office by Express Mail on October 26, 2001. Applicants enclose a copy of the return receipt postcard received from the U.S. Patent and Trademark Office, a copy of the Express Mail label, a copy of the original response, and a copy of the signed Declaration submitted therewith.

Applicants have spoken by telephone to a representative of the U.S. Patent and Trademark Office at the Initial Patent Examining Division and have been notified that this previously submitted Declaration is not included in the file. Applicants therefore submit this response forwarding the previously submitted signed Declaration and evidence of its prior submission in response to this telephone conference, as well as the Notice of February 1, 2002.

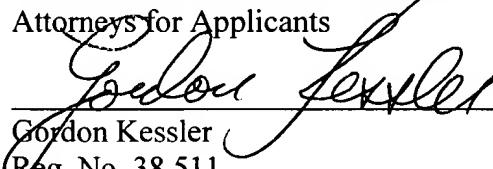
In view of the foregoing, it is believed that the above-identified application is now complete and early examination thereof on its merits is solicited.

Please charge any additional fees required for the filing of this application or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By:

  
\_\_\_\_\_  
Gordon Kessler  
Reg. No. 38,511  
(212) 588-0800

Encls. Copy of the return receipt postcard  
Copy of the Express Mail label  
Copy of the original response  
Copy of check #018199 for \$65.00  
Copy of the signed Declaration  
Copy of Notice of Incomplete Reply

018199

FROMMER LAWRENCE &amp; HAUG LLP

245 FIFTH AVENUE  
NEW YORK, NY 10115PAY TO THE  
ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

October 26 2001

11210426

\$ 65.00

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THE BANK OF NEW YORK

575 MADISON AVENUE  
NEW YORK, NY 10022

CHARGE ANY ADDL FEES TO DEPOSIT ACCT. #50-0320

FROMMER LAWRENCE &amp; HAUG LLP

O P E

FEB 21 2002

FROMMER LAWRENCE &amp; HAUG LLP

#018199# 021000018# 6301147455#

## DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

APPLICANT

Minogue et al.

SERIAL NO.

09/902,225

FL &amp; H DOCKET NO. 060057-2001

TITLE

An Electrotherapy Device and Method

- APPEAL BRIEF
- APPEAL FEE
- CERTIFICATE OF CORRECTION
- DISCLAIMER
- EXTENSION OF TIME
- FEE FOR ADDED CLAIMS
- FILING FEE
- ISSUE FEE
- MAINTENANCE FEE
- MISSING PARTS
- NOTICE OF OPPOSITION

- PETITION FEE
- PETITION FOR CANCELLATION
- PETITION TO REVIVE
- RECORDING FEE
- REQUEST FOR ORAL HEARING
- SEC. 8 TM DECLARATION FEE
- STATEMENT OF USE
- TM RENEWAL
- Surcharge
- 

PLEASE CHARGE ANY ADDITIONAL FEES OR CREDIT OVER PAYMENT TO DEPOSIT ACCOUNT NO. 50-0320

## CHARGE TO

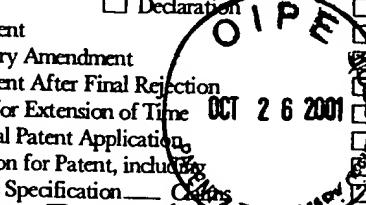
NAME OF CLIENT OR ACCOUNT	FILE NO.	ATTORNEY	AMOUNT
	660057-2001	6K/PD	65 00



Serial No. 09/902,225 File No. 660057-2001 By GHK  
Title In the Matter of the Application of MINOGUE & CLOWE  
The following due \_\_\_\_\_ in the U.S. Patent Office, was received in the Patent Office  
 Affidavit  Declaration  
 Amendment  
 Preliminary Amendment  
 Amendment After Final Rejection  
 Request for Extension of Time  
 Provisional Patent Application  
 Application for Patent, including  
    — Pages Specification \_\_\_\_\_ Claims  
 Declaration  Oath  Power  
 Request for Filing Continuation or Divisional  
    Application \_\_\_\_\_ sheets, in duplicate  
 File Wrapper Continuation Patent Application  
    \_\_\_\_\_ sheets, in duplicate  
 PCT Request \_\_\_\_\_ sheets, including  
 Transmittal Letter to the US/RO  
 Assignment  Recordation Cover Sheet

Express Mail Mailing Certificate  
 (separate sheet) 01/8200 40.00  
 Check No. 01/199 for \$ 65.00  
 Deposit Account Order Form  
 Drawing \_\_\_\_\_ Sheet(s)  
 Information Disclosure Statement  
 PTO Form 1449,  
 Issue Fee Transmittal  
 Brief  Letter  
 Application for TM Registration  
    Including \_\_\_\_\_ Specimens  
 Status Request  Notice of Appeal  
 Petition  Response to NOTICE  
 Priority Document TO FILE MISSING  
 Small Entity Declaration PARTS  
 COPY OF NOTICE

EXPRESS MAIL EL819168092 US on 10/26/01



Serial No. 09/902,225 File No. 660057-2001 By GHK  
Title In the Matter of the Application of MINOGUE & CLOWE  
The following due \_\_\_\_\_ in the U.S. Patent Office, was received in the Patent Office  
 Affidavit  Declaration  
 Amendment  
 Preliminary Amendment  
 Amendment After Final Rejection  
 Request for Extension of Time  
 Provisional Patent Application  
 Application for Patent, including  
    — Pages Specification \_\_\_\_\_ Claims  
 Declaration  Oath  Power  
 Request for Filing Continuation or Divisional  
    Application \_\_\_\_\_ sheets, in duplicate  
 File Wrapper Continuation Patent Application  
    \_\_\_\_\_ sheets, in duplicate  
 PCT Request \_\_\_\_\_ sheets, including  
 Transmittal Letter to the US/RO  
 Assignment  Recordation Cover Sheet

Express Mail Mailing Certificate  
 (separate sheet) 01/8200 40.00  
 Check No. 01/199 for \$ 65.00  
 Deposit Account Order Form  
 Drawing \_\_\_\_\_ Sheet(s)  
 Information Disclosure Statement  
 PTO Form 1449,  
 Issue Fee Transmittal  
 Brief  Letter  
 Application for TM Registration  
    Including \_\_\_\_\_ Specimens  
 Status Request  Notice of Appeal  
 Petition  Response to NOTICE  
 Priority Document TO FILE MISSING  
 Small Entity Declaration PARTS  
 COPY OF NOTICE

EXPRESS MAIL EL819168092 US on 10/26/01



EL 819168092 US

Mailing Label  
Label 11-F August 2000

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)		
PO ZIP Code	Day of Delivery	Flat Rate Envelope		Delivery Attempt	Time	Employee Signature
	<input type="checkbox"/> Next <input type="checkbox"/> Second	<input type="checkbox"/>		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Date In		Postage	\$	Delivery Attempt	Time	Employee Signature
Mo. Day Year	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM			Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Time In	Military	Return Receipt Fee		Delivery Date	Time	Employee Signature
<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day			Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee	Insurance Fee	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees	S	NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Customer Signature
CUSTOMER USE ONLY						
METHOD OF PAYMENT: Express Mail Corporate Acct. No.				Federal Agency Acct. No. or Postal Service Acct. No.		
FROM: (PLEASE PRINT) 212 588 0800				TO: (PLEASE PRINT) PHONE ( )		
FROMMER LAWRENCE & HAUG LLP 745 5TH AVE FL 10 NEW YORK NY 10151-1000				ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON DC 20231 Box MISSING PARTS		
660057-2001				8921		
<b>PRESS HARD.</b> You are making 3 copies. FOR PICKUP OR TRACKING CALL 1-800-222-1811 <a href="http://www.usps.com">www.usps.com</a> 						

Customer Copy  
Label 11-F August 2000

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)		
PO ZIP Code	Day of Delivery	Flat Rate Envelope		Delivery Attempt	Time	Employee Signature
100017	<input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	<input type="checkbox"/>		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Date In		Postage	\$ 12.45	Delivery Attempt	Time	Employee Signature
10 26 01	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM			Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Time In	Military	Return Receipt Fee		Delivery Date	Time	Employee Signature
2100	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day			Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Weight 32 lbs. ozs.	Int'l Alpha Country Code	COD Fee	Insurance Fee	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees	\$ 12.45	NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Customer Signature
CUSTOMER USE ONLY						
METHOD OF PAYMENT: Express Mail Corporate Acct. No.				Federal Agency Acct. No. or Postal Service Acct. No.		
FROM: (PLEASE PRINT) 212 588 0800				TO: (PLEASE PRINT) PHONE ( )		
FROMMER LAWRENCE & HAUG LLP 745 5TH AVE FL 10 NEW YORK NY 10151-1000				ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON DC 20231 Box MISSING PARTS		
660057-2001				8921		
SEE REVERSE SIDE FOR USPS <b>SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE</b>						
 NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday						
<b>FOR PICKUP OR TRACKING CALL 1-800-222-1811 <a href="http://www.usps.com">www.usps.com</a> </b>						



## UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 21 2002

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/902,225	07/10/2001	Michael Conor Minogue	



CONFIRMATION NO. 7594

## FORMALITIES LETTER



\*OC00000006487023\*

FROMMER LAWRENCE & HAUG LLP  
 745 Fifth Avenue  
 New York, NY 10151

Date Mailed: 08/28/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*

Michael Conor Minogue

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 21 2002

JC48

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/902,225	07/10/2001	Michael Conor Minogue	

CONFIRMATION NO. 7594

## FORMALITIES LETTER



\*OC00000007410787\*

FROMMER LAWRENCE & HAUG LLP  
 745 Fifth Avenue  
 New York, NY 10151

Date Mailed: 02/01/2002

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 01/21/2002 to the Notice to File Missing Parts (Notice) mailed 08/28/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is unsigned.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE